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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:

AMMON EDWARD BUNDY
Debtor.

Bankruptcy No. 24-23530

Chapter 7

Honorable William T. Thurman

**DECLARATION OF ERIK F. STIDHAM IN SUPPORT OF MOTIONS TO COMPEL
LYDIA BUNDY'S D/B/A BUNDY BRAZILIAN STEAKHOUSE, ARDEN BUNDY'S,
AND BUNDY INDUSTRIES LLC'S COMPLIANCE WITH RULE 2004 SUBPOENAS
FOR EXAMINATIONS AND PRODUCTION OF DOCUMENTS**

I, Erik F. Stidham, declare and state as follows:

1. I am a partner in the Boise office of the law firm of Holland & Hart LLP and am licensed to practice law in the State of Idaho. I am admitted to this Court *pro hac vice* for this case. Along with my colleagues identified above, I am counsel for St. Luke's Health System, Ltd.,

St. Luke's Regional Medical Center, Ltd., Chris Roth, Natasha D. Erickson, M.D., and Tracy W. Jungman, NP (collectively, the "St. Luke's Creditors").

2. I am familiar with the facts and proceedings in this matter and have personal knowledge of the matters stated in this Declaration.

3. I make this Declaration in support of St. Luke's Creditors' Motions to Compel Lydia Bundy's d/b/a Bundy Brazilian Steakhouse, Arden Bundy's, and Bundy Industries LLC's Compliance with Rule 2004 Subpoenas for Examinations and Production of Documents filed concurrently herewith.

4. Attached hereto as **Exhibit A** is a true and correct copy of the first subpoena for Rule 2004 Examination and Production of Documents to Lydia Bundy, d/b/a Bundy Brazilian Steakhouse dated November 27, 2024, which set a Rule 2004 Examination for January 2, 2025.

5. Attached hereto as **Exhibit B** is a true and correct copy of the transcript of Lydia Bundy's truncated January 2, 2025, Rule 2004 Examination. During her examination, Lydia Bundy clarified that the ownership entity associated with Bundy's Brazilian Steakhouse is Bundy Industries. Ex. B at 8. However, after answering questions about that entity, and early on in the overall questioning, Lydia Bundy elected to plead the Fifth, requesting to stop the examination so she could obtain legal counsel to represent her at it. Ex. B at 15. Undersigned counsel for St. Luke's Creditors immediately honored the request by making record of it and stopping the questioning. Ex. B at 15-19. I requested email address information from Lydia and Arden Bundy so we could schedule a later date for the examination, which would permit Lydia Bundy to obtain counsel. Ex. B at 20.

6. Arden Bundy is Debtor Ammon Edward Bundy's brother.

7. The St. Luke's Creditors moved for permission to issue deposition and documents subpoenas under Federal Rule of Bankruptcy Procedure 2004 to Arden Bundy, Lydia Bundy and Bundy Industries, LLC. The Court granted these motions.

8. On February 14, 2025, St. Luke's Creditors mailed subpoenas to Arden Bundy and Bundy Industries, as well as an amended subpoena notice of the 2004 examination to Lydia Bundy, updating the date of her Examination and providing an updated date for her production of documents as well. Each subpoena was served via U.S. Mail to 850 S. Bluff St., St. George, Utah 84770, the address used to serve Lydia Bundy with the first Subpoena. Attached hereto as **Exhibit C** are true and correct copies of the subpoenas and communication attendant thereto.

9. The Rule 2004 Examination of Bundy Industries, LLC was set to begin at 9 a.m., March 4, 2025, in St. George, Utah and required production of documents as described in the subpoena's Exhibit A on that same date.

10. The Rule 2004 Examination of Arden Bundy was set to begin at 9 a.m., March 5, 2025, in St. George, Utah, and required production of documents as described in the subpoena's Exhibit A on that same date.

11. The Rule 2004 Examination of Lydia Bundy was set to begin at 1 p.m., March 5, 2025, in St. George, Utah and required production of documents as described in the subpoena's Exhibit A on that same date.

12. On March 3, 2025, Counsel for St. Luke's Creditors emailed Lydia Bundy and Arden Bundy, reminding them of the upcoming Rule 2004 examinations, also again providing the subpoenas. Attached hereto as **Exhibit D** is a true and correct copy of the email dated March 3, 2024.

13. St. Luke's Creditors' counsel prepared for the examinations of Lydia Bundy, Arden Bundy, and Bundy Industries, travelled from Boise to St. George for the examinations, and arranged for a videographer and court reporter to attend and make a record of the examinations.

14. Bundy Industries, LLC failed to provide a designee for its examination on March 4, 2025.

15. Lydia Bundy failed to appear for her examination on March 5, 2025.

16. Arden Bundy failed to appear for his examination on March 5, 2025.

17. As of the date of this Motion, neither Lydia Bundy, Arden Bundy, nor Bundy Industries, LLC has produced documents responsive to the subpoenas.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 15th day of April, 2025.

/s/ Erik F. Stidham

Erik F. Stidham

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2025, I electronically filed the foregoing with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF user.

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